

NOTICE OF OBJECTION TO CONFIRMATION

BANK OF AMERICA, N.A. has filed papers with the Court to object to the Confirmation of the Chapter 13 Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to object to the Confirmation of the Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

1. File with the Court an answer, explaining your position at:

**Clerk
U.S. Bankruptcy Court
401 Market Street, 2nd Floor
Camden, NJ 08101**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054

Isabel C. Balboa, Trustee
Cherry Tree Corporate Cen, 535 Route 38 - Suite 580
Cherry Hill, NJ 08002

2. Attend the hearing scheduled to be held on 04/12/2017 in the CAMDEN Bankruptcy Court, at the following address:

**U.S. Bankruptcy Court
401 Market Street, 2nd Floor
Camden, NJ 08101**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: April 11, 2017

/s/ James P. Shay
James P. Shay, Esq.
Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
Tel: 856-813-5500 Ext. 41326
Fax: 856-813-5501
Email: james.shay@phelanhallinan.com

File No. 769096

Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road
Mt. Laurel, NJ 08054
856-813-5500
FAX Number 856-813-5501
BANK OF AMERICA, N.A.

In Re:

THOMAS P. BRANTMAYER

Debtor

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

Chapter 13

Case No. 15-29435 - ABA

Hearing Date: 04/12/2017

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, BANK OF AMERICA, N.A., the holder of a Mortgage on debtor residence located at 35 DANNA LANE, BRIDGETON, NJ 08302 hereby objects to the Confirmation of the debtor proposed Chapter 13 Plan on the following grounds:

1. On February 12, 2016, Movant filed a Proof of Claim listing pre-petition arrears in the amount of \$10,116.32.
2. Debtor's Plan fails to cure the delinquency pursuant to 11 U.S.C. § 1322(b)(5).
3. Debtor's Plan currently provides for payment to Movant in the amount of \$0.00.
4. The Plan should be amended to fully fund the arrears owed to Movant during the term of the Plan rather than rely on speculation that the property will be sold.
5. Movant objects to Debtor's Plan as it is underfunded.
6. Additionally, Debtor's Plan fails to provide for the full monthly post-petition payment owed to Movant under the terms of the Note and Mortgage. Movant objects to any post-petition payment amount less than 100% of what is required. Accordingly, confirmation of Debtor's proposed Plan should be denied.

WHEREFORE, BANK OF AMERICA, N.A. respectfully requests that the Confirmation of Debtor Plan be denied.

/s/ James P. Shay
James P. Shay, Esq.
Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
Tel: 856-813-5500 Ext. 41326
Fax: 856-813-5501
Email: james.shay@phelanhallinan.com

Dated: April 11, 2017

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

769096
PHELAN HALLINAN DIAMOND & JONES, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
856-813-5500
Attorneys for BANK OF AMERICA, N.A.

In Re:

THOMAS P. BRANTMAYER

Case No: 15-29435 - ABA

Hearing Date: 04/11/2017

Judge: Andrew B. Altenburg, Jr

Chapter: 13

CERTIFICATION OF SERVICE

1. I, Gina Lux:

☐ represent the _____ in the above-captioned matter.

☒ am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC, who represents BANK OF AMERICA, N.A. in the above captioned matter.

☐ am the _____ in the above case and am representing myself.

2. On April 11, 2017 I sent a copy of the following pleadings and/or documents to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: April 11, 2017

/s/ Gina Lux
Gina Lux

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
THOMAS P. BRANTMAYER 1270 CENTERTON ROAD, ELMER, NJ 08318-3527	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
DANIEL L. REINGANUM, ESQUIRE 46 WEST MAIN STREET MAPLE SHADE, NJ 08052	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
ISABEL C. BALBOA, TRUSTEE CHERRY TREE CORPORATE CEN, 535 ROUTE 38 - SUITE 580 CHERRY HILL, NJ 08002	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.